



Zoning Administrator

NOTICE OF DECISION

On PCC-09-025E, Temporary Modular Classrooms and Restroom Buildings, Lutheran High School, 810 Buena Vista Way

Notice is hereby given that the Zoning Administrator has considered Conditional Use Permit PCC-09-025E, a request to allow a temporary location for six (6) modular classroom buildings and one (1) restroom building for the Lutheran High School for an additional one (1) year extension located at 810 Buena Vista Way. The site is located in the PC-PQ Zone (Planned Community-Public Quasi) and RMH (Residential Medium High) General Plan land use designation.

The Environmental Review Coordinator has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the proposed project was adequately covered in previously adopted Environmental Impact Report, EIR-83-2A with Addendum. Thus, no further environmental review or documentation is necessary.

The Zoning Administrator, under the provisions of Section 19.14.030.A of the Chula Vista Municipal Code, has conditionally approved said request based upon the following findings of facts as required by CVMC Section 19.14.080:

- 1. That the proposed use at this location is necessary or desirable and will contribute to the general well being of the neighborhood or the community.**

The temporary modular classroom and restroom buildings are necessary in order to accommodate the students who will be attending the Lutheran High School in the 2011 school year. The temporary building are located adjacent to the existing church building and screened by landscaping. The proposed use would contribute to the well being of the neighborhood by providing a necessary service to the community by offering an alternative learning experience of a private school. With the property being zoned as Community Purpose Facility, the City has designated this site as an appropriate or desirable location for the community to have a church or school in close proximity to the residential neighborhood. So, therefore the proposed use at this location is desirable and will contribute to the general well being of the neighborhood.

- 2. That such use will not under the circumstances of the particular case be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.**

The modular school and restroom buildings are temporary until a permanent location is established on the site. The previous approved master plan Conditional Use Permit, PCC-95-15, outlines the location of the permanent buildings. The temporary buildings are consistent with the previous approval. So, therefore the buildings would not be detrimental to the

health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity.

3. **That the proposed use will comply with the regulations and conditions specified in the code for such use. .**

With the approval of this Conditional Use Permit, the subject property meets all regulations of a temporary use in the Community Purpose Facility (CPF). The conditional approval of PCC-09-025E requires continued compliance with all conditions, codes and regulations, as applicable, for the duration of this entitlement. The project shall be consistent with the approved master plan for the school, Conditional Use Permit PCC-95-15, on file in the Planning Division.

4. **That the granting of this Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any government agency.**

The zoning for this site is Community Purpose Facility (CPF), established under the Rancho Del Rey SPA 1. The Rancho Del Rey SPA 1 implements the General Plan. The proposed use is consistent with the zone and the approved master plan for the school, pursuant Conditional Use Permit PCC-95-15. Therefore, the project will not adversely affect the General Plan.

Approval of PCC-09-025E is conditioned upon the following:

- I. **Within 60 days or prior to the issuance of any building permit, the applicant shall satisfy the following requirements:**

- A. The property owner and the applicant shall execute this document by making a true copy of this Notice of Decision and signing both this original notice and the copy on the lines provided below, said execution indicating that the property owner and applicant have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Planning Division within 30 days. Failure to return the signed true copy of this document prior to submittal for building permits to the Development Services Department shall indicate the property owner/applicant's desire that the project, and the corresponding application for building permits and/or a business license, be held in abeyance without approval.

Signature of Property Owner

Date

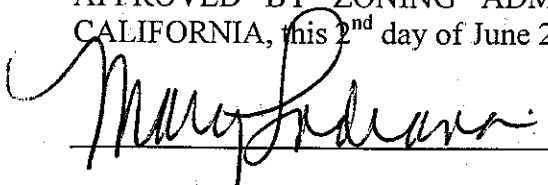
Signature of Authorized Representative

Date

Planning Division Conditions:

- B. The capacity for the temporary school facility shall not exceed 192 children on site at any one time.
 - C. The required twelve (12) parking spaces for the temporary school facility shall be available at all times during the hours of operation for the school facility.
 - D. The temporary school facility shall consist of six (6) modular classroom buildings and one (1) restroom building totaling 7,200 square feet per the plan on file in the Planning Division. Any other temporary building or structure to occupy the site will need to be reviewed and approved by the Zoning Administrator.
 - E. The hours of operation for the temporary school facility shall be Monday through Friday from 7:00 a.m. to 4:00 p.m.
- II. The following on-going conditions shall apply to the subject property as long as it relies upon this approval.
- A. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance or the approval of this Conditional Use Permit.
 - B. Any violation of the conditions listed herein shall be sufficient grounds for the Zoning Administrator to revoke the Conditional Use Permit.
 - C. The temporary permit shall expire in one (1) year after the date of its approval by the Zoning Administrator. No further extensions shall be granted for the temporary land use.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 2nd day of June 2011.



Mary Ladiana, Zoning Administrator

SP/CY